



Atty. Dkt. No. 016887-1101

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Yoshiaki TANAKA

Title: TONER CARTRIDGE AND DEVELOPING DEVICE WITH
TAPERED AND UNTAPERED REGIONS (As Amended)

Appl. No.: 10/787,360

Filing Date: 2/27/2004

Examiner: Quana Mashell Grainger

Art Unit: 2852

Confirmation Number:
7905

REQUEST FOR RECONSIDERATION OF PATENT TERM ADJUSTMENT
UNDER 37 C.F.R. §1.704(d)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants respectfully request reconsideration of the Patent Term Adjustment (PTA) included with the Notice of Allowance mailed July 9, 2007.

The above-identified application was filed on February 27, 2004, and is therefore eligible for application of the PTA rules. Under 37 C.F.R. § 1.703(a) through (c), the period of adjustment of the term of a patent shall be reduced by a period equal to the period of time during which the applicant failed to engage in reasonable efforts to conclude prosecution (processing or examination) of the application. The applicable rules state:

§1.704 Reduction of period of adjustment of patent term.

(d) A paper containing only an information disclosure statement in compliance with §§ 1.97 and 1.98 will not be considered a failure to engage in reasonable efforts to conclude prosecution (processing or examination) of the application under paragraphs (c)(6), (c)(8), (c)(9),

or (c)(10) of this section if it is accompanied by a statement that each item of information contained in the information disclosure statement was first cited in any communication from foreign patent office in a counterpart application and that this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the information disclosure statement. The thirty-day period is not extendable.

Below is Applicants' calculation of Patent Term Adjustment indicating that the adjustment should be 322 days:

Event Description	Event Date	Days from Filing	PTO Days	Applicant Days
Application Filing Date	02/27/2004	0		
14 month From Application date	04/27/2005	425	1	
Non-Final Office Action	08/10/2005	530	105	
<i>Non-Final Office Action Letter Restarting Period for Response</i>	11/14/2005	626		
Non-Final Office Action Response Received at PTO	02/14/2006	718		
Final Office Action	05/02/2006	795		
Final Office Action Response Received at PTO	06/30/2006	854		
Non-Final Office Action	07/27/2006	881		
Non-Final Office Action Response Received at PTO	10/27/2006	973		
Non-Final Office Action	01/12/2007	1,050		
Non-Final Office Action Response Received at PTO	04/12/2007	1,140		
3 Year Period Starts	06/12/2007	1,201	1	
Notice of Allowance	07/09/2007	1,228		
Issue Fee Paid	10/09/2007	1,320	1	
Projected Patent Grant Date	01/15/2008	1,418	217	
322				

The PTO issued a first non-final Office Action on August 10, 2005 which resulted in 105 PTO days. Applicant contacted the Examiner regarding clarification of the issued Office Action. The Patent Office issued a second non-final Official Action on November 14, 2005 ***restarting the period for response***. Applicant filed a response to the non-final Official Action on February 14, 2006. The Patent Office issued a final Official Action on May 2, 2006. Applicant filed a response to the final Official Action on June 30, 2006. The Patent Office issued a non-final Official Action on July 27, 2006. Applicant filed a response to the non-final Official Action on October 27, 2006. The Patent Office issued a non-final Official

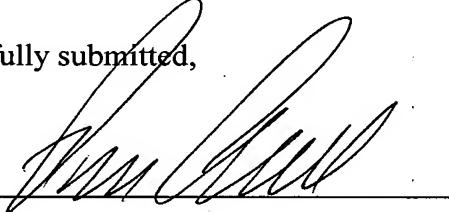
Action on January 12, 2007. Applicant filed a response to the non-final Official Action on April 12, 2007. The Patent Office issued a Notice of Allowance on July 9, 2007. Applicant then filed the issue fee transmittal on October 9, 2007. Therefore, the total PTO days are 322.

It is respectfully requested that a Patent Term Adjustment of 322 days be granted in favor of the Applicant.

A credit card authorization form in the amount of \$200.00 is enclosed herewith. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

By


Pavan K. Agarwal
Attorney for Applicant
Registration No. 40,888

Date: October 9, 2007

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